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ATTORNEY DOCKET NUMBER: 2002850-0009 (S98-161 US CIP II)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Fount, *et al.*

Examiner: Wortman, D.

Serial No.: 09/728,720

Art Unit: 1648

Filed: December 1, 2000

For: PREVENTION AND TREATMENT OF HCV INFECTION EMPLOYING
ANTIBODIES DIRECTED AGAINST CONFORMATIONAL EPITOPESAssistant Commissioner For Patents
Washington, DC 20231

Sir:

TRANSMITTAL

Enclosed please find the following documents regarding the above-referenced patent application:

1. Form PTO-1449 (1 pg.);
2. Statement Filed Pursuant to the Duty of Disclosure Under 37 CFR §§1.56, 1.97 and 1.98 (5 pp.);
3. Cited Art (7);
4. Check in the amount of \$180.00; and
5. Return Postcard.

Please charge any additional fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,

Brenda Herschbach Jarrell, Ph.D.
Reg. No. 39,223

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Exchange Place
53 State Street
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Dated: January 7, 2003
Feb

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner For Patents, Washington, D.C. 20231

on February 7, 2003



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For: PREVENTION AND TREATMENT OF HCV INFECTION EMPLOYING
ANTIBODIES DIRECTED AGAINST CONFORMATIONAL EPITOPES

Assistant Commissioner For Patents
Washington, DC 20231

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants respectfully request consideration of this Supplemental Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

(select A, B or C below)

A. ☐ This Supplemental Information Disclosure Statement has been filed:

(check 1, 2, and/or 3 below)

1. ☐ within three months of the filing date of the above identified U.S. Patent application;
2. ☐ within three months of the filing date of the entry of the National Stage, as set forth in 37 C.F.R. §1.491, in an International application; and/or
3. ☐ before the mailing date of the first Office Action on the merits in the above-identified application.

No fee or certification is required.

U.S.S.N 09/728,720
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Attorney Docket No.: 2002850-0009
Client Reference: S98-161 US CIP II

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- b. ☐ no item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign Patent Office in a counterpart for this application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Statement.
2. ☐ A Petition requesting consideration of the Supplemental Information Disclosure Statement is attached.
3. ☐ The Petition Fee of \$130 as set forth in 37 C.F.R. §1.17(i)(1) is enclosed.

PART II: Information Cited

(select A and/or B below)

- A. ☒ The Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.
- B. ☐ The Applicant hereby makes the following additional information of record in the above-identified application:

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

(select A and/or B below)

- A. ☐ The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):
- B. ☐ The following are remarks concerning the other information cited:

PART IV: Remarks

(select A, B, C, D, E, and/or F below)

- A. ☒ Copies of references
 (check 1 or 2 below)
1. ☐ A copy of each of the references cited on the attached form PTO-1449
 (modified) is enclosed;
 2. ☒ Copies of certain of the references cited on the attached form PTO-1449
 (modified) are not enclosed because each of these references (indicated by
 asterisk) was previously cited by or submitted to the Office in a prior
 application, which prior application is relied upon for an earlier filing date
 under 35 U.S.C. § 120.
- B. ☒ It is respectfully requested that:
 (check 1, 2, and 3 below)
1. ☒ The Examiner consider completely the cited information, along with any
 other information, in reaching a determination concerning the patentability
 of the present claims;
 2. ☒ The enclosed form PTO-1449 be signed by the Examiner to evidence that
 the cited patent(s) and publication(s) has (have) been fully considered by
 the Patent and Trademark Office during the examination of this
 application;
 3. ☒ The citations for the patent(s) and publication(s) be printed on any patent
 which issues from this application.
- C. ☒ By submitting this Supplemental Information Disclosure Statement, Applicants
 make no representation that a search has been performed, of the extent of any
 search performed, or that more material information may not exist.
- D. ☒ By submitting this Supplemental Information Disclosure Statement, Applicants
 make no representation that the information cited in the Statement is, or is
 considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

- E. [X] By submitting this Supplemental Information Disclosure Statement, Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.
- F. [X] Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

An early and favorable action is hereby requested. Please charge any additional fees or credit any overpayments to our Deposit Account No. 03-1721.

Respectfully submitted,



Brenda Herschbach Jarrell, Ph.D.
Reg. No. 39,223

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Dated: ~~January~~ Feb, 2003

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Kathy H. H. H. H.



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Remarks:

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